

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

vs.

CASE NO. 3:99CR00344-017(PG)

JEYSON MANUEL BADILLO-LOPEZ
* * * * *

MOTION NOTIFYING VIOLATIONS OF CONDITIONS
OF RELEASE AND REQUESTING WRITTEN REPRIMAND

TO THE HONORABLE JUAN M. PEREZ-GIMENEZ
SENIOR U.S. DISTRICT JUDGE
DISTRICT OF PUERTO RICO

COMES NOW, MARTIN DE SANTIAGO, SENIOR U.S. PROBATION OFFICER of this Court, presenting an official report on the conduct and attitude of releasee, Jeyson Manuel Badillo-López, who on May 9, 2001, was sentenced to forty-sixty (46) months of imprisonment and five (5) years supervised release, along with several special conditions of release, after he was convicted of violating Title 21 U.S.C. § 846. Subsequently, he was released from federal custody and his supervised release term commenced. As he violated several of the imposed conditions of release, on September 1, 2006, the supervised release term was revoked and he sentenced to eight (8) months of imprisonment, to be followed by a two (2) year supervised release term. On March 26, 2007, the offender was released from custody at which time the supervision term imposed commenced.

RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:

Since his release from custody, the offender has violated the following supervision condition.

1. CONDITION NO. 7 - "THE DEFENDANT SHALL REFRAIN FROM EXCESSIVE USE OF ALCOHOL AND SHALL NOT PURCHASE, POSSESS, USE, DISTRIBUTE, OR ADMINISTER ANY CONTROLLED SUBSTANCE OR ANY PARAPHERNALIA RELATED TO ANY CONTROLLED SUBSTANCES, EXCEPT AS PRESCRIBED BY A PHYSICIAN."

During the early morning hours of February 6, 2008, the undersigned conducted an unannounced contact at his apartment in the José C. Barbosa Public Housing Complex, Bayamón, Puerto Rico, and he was requested to provide us with a drug test. Mr. Badillo, initially stalled, and then admitted to having smoked marijuana during the past weekend. As he was unable to yield a drug test, he was instructed to report to the office in the afternoon to provide us with an urine specimen. Later that day, we collected a drug test and same was forwarded to the laboratory for further confirmation. On February 11, 2008, we received the laboratory result which reflected that the offender had tested positive to Morphine. Mr. Badillo has been placed in an intensive drug testing program.

WHEREFORE, I declare under a penalty of perjury that the foregoing is true and correct, and as the offender had been in compliance with his conditions of release until recently, it is respectfully recommended that the offender be allowed to continue on supervised release. In view of the aforementioned, it is further requested that he be issued a written reprimand. Should he violate any other condition, the Court will be promptly notified. Thereupon, he to be dealt with pursuant to law.

In San Juan, Puerto Rico, this 20th day of February 2008.

Respectfully submitted,

EUSTAQUIO BABILONIA, CHIEF
U.S. PROBATION OFFICER

s/Martin De Santiago
Senior U.S. Probation Officer
Federal Office Bldg. Room 400
150 Chardon Avenue
San Juan, P.R. 00918-1741
Tel. 787-766-5860
Fax 787-766-5945
E-mail:martin_de_santiago@prp.uscourts.gov

CERTIFICATE OF SERVICE

I HEREBY certify that on February 20, 2008, I electronically filed the foregoing motion with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: José A. Ruiz-Santiago, Assistant U.S. Attorney, and Joseph C. Laws, Federal Public Defender.

In San Juan, Puerto Rico, this 20th day of February 2008.

s/Martin De Santiago
Martin De Santiago
Senior U.S. Probation Officer
Federal Office Bldg. Room 400
150 Chardon Avenue
San Juan, P.R. 00918-1741
Tel. 787-766-5860
Fax 787-766-5945
E-mail:martin de_santiago@prp.uscourts.gov